Case 18-08398 Doc 20 Filed 05/10/18 Entered 05/10/18 18:24:48 Desc Main Page 1 of 5 Document Fill in this information to identify your case Debtor 1 **Nicole Armstrong** First Name Middle Name Last Name Debtor 2 First Name Middle Name Last Name (Spouse, if filing) United States Bankruptcy Court for the: NORTHERN DISTRICT OF ILLINOIS Check if this is an amended plan, and list below the sections of the plan that have been changed. Case number: 18-08398 3.1, 3.3, 4.2, 5.1 (If known) Official Form 113 Chapter 13 Plan 12/17 Part 1: Notices To Debtor(s): This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable. In the following notice to creditors, you must check each box that applies **To Creditors:** Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any plan. The following matters may be of particular importance. Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the plan. 1.1 A limit on the amount of a secured claim, set out in Section 3.2, which may result in ☐ Included ■ Not Included a partial payment or no payment at all to the secured creditor Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, 1.2 □ Included ■ Not Included set out in Section 3.4. Nonstandard provisions, set out in Part 8. 1.3 ☐ Included ■ Not Included Part 2: Plan Payments and Length of Plan 2.1 Debtor(s) will make regular payments to the trustee as follows: \$475 per Month for 3 months

\$825 per Month for 57 months

Insert additional lines if needed.

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.

#### 2.2 Regular payments to the trustee will be made from future income in the following manner.

Check all that apply:

- Debtor(s) will make payments pursuant to a payroll deduction order.
- Debtor(s) will make payments directly to the trustee.
- Other (specify method of payment):

#### 2.3 Income tax refunds.

Check one.

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|                             |  | Boodinent  | 1 age 2 01 0   |  |  |   |  |  |
|-----------------------------|--|--|--|--|--|---|--|--|
| Debtor                      | Nicole Armstrong   |  | Case   | number 18  | -08398   |   |  |  |
| -                           | Debtor(s) will retain any income tax refunds received during the plan term.  |  |  |  |  |   |  |  |
|                             | Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds received during the plan term.   |  |  |  |  |   |  |  |
|                             | Debtor(s) will treat income  | refunds as follows:  |  |  |  |   |  |  |
| 2.4 Additional pa           | nyments.   |  |  |  |  |   |  |  |
| Check one.<br>■             | None. If "None" is checke  | d, the rest of § 2.4 need no   | t be completed or rep  | roduced.   |  |   |  |  |
| 2.5 The total               | al amount of estimated pay   | ments to the trustee prov  | vided for in §§ 2.1 an   | d 2.4 is \$ <u>48,450</u>  | <b>.00</b> .   |   |  |  |
| Part 3: Treatn              | nent of Secured Claims   |  |  |  |  |   |  |  |
| 3.1 Mainte                  | tenance of payments and cure of default, if any.   |  |  |  |  |   |  |  |
| Check o □ ■                 | None. If "None" is checke The debtor(s) will maintain required by the applicable by the trustee or directly by disbursements by the truste a proof of claim filed befor as to the current installmen below are controlling. If re otherwise ordered by the cu that collateral will no long by the debtor(s). | the current contractual in<br>contract and noticed in cor<br>y the debtor(s), as specified<br>ee, with interest, if any, at the<br>the filing deadline under<br>the payment and arrearage. I<br>lief from the automatic state<br>pourt, all payments under the | stallment payments or<br>nformity with any app<br>d below. Any existing<br>the rate stated. Unless<br>Bankruptcy Rule 300<br>in the absence of a cor<br>y is ordered as to any<br>his paragraph as to that | n the secured clailicable rules. The<br>arrearage on a li<br>otherwise ordered<br>(2)(c) control oventrary timely filed<br>item of collaterat<br>t collateral will c | ese payments will be dested claim will be paided by the court, the amount any contrary amount destroy proof of claim, the all listed in this paragrapease, and all secured contrary are proof of claim, the all secured contrary are paragrapease. | lisbursed either d in full through nounts listed on s listed below mounts stated ph, then, unless claims based on |  |  |
| Name of Credite             |  | Current installment<br>payment<br>(including escrow)   | Amount of arrearage (if any)   | Interest rate<br>on arrearage<br>(if applicable)   | Monthly payment on arrearage   | Estimated total payments by trustee   |  |  |
| Capital One<br>Auto Finance | 2012 Mazda 3<br>70,000 miles   | \$350.00   | Prepetition: \$0.00  | 0.00%  | \$0.00   | \$0.00  |  |  |
|                             |  | Disbursed by: ☐ Trustee  |  |  |  |   |  |  |
|                             |  | Debtor(s)  |  |  |  |   |  |  |

| Name of Creditor                     | Collateral   | Current installment<br>payment<br>(including escrow) | Amount of arrearage (if any)   | Interest rate<br>on arrearage<br>(if applicable) | Monthly payment on arrearage | Estimated total payments by trustee |
|--------------------------------------|--|--|--------------------------------|--|------------------------------|-------------------------------------|
| Capital One<br>Auto Finance          | 2012 Mazda 3<br>70,000 miles   | \$350.00  Disbursed by:  Trustee  Debtor(s)          | Prepetition: \$0.00            | 0.00%  | \$0.00                       | \$0.00                              |
| U.S. Bank<br>National<br>Association | 134 Pick Ave.<br>Elmhurst, IL<br>60126 Principal<br>residence -<br>DuPage County | \$1,519.61  Disbursed by:  Trustee  Debtor(s)        | Prepetition: <b>\$2,134.40</b> | 0.00%  | \$533.60                     | \$2,134.40                          |
| Us Bank Home<br>Mortgage             | 134 Pick Ave.<br>Elmhurst, IL<br>60126 Principal<br>residence -<br>DuPage County | \$45.00  Disbursed by:  Trustee  Debtor(s)           | Prepetition: \$0.00            | 0.00%  | \$0.00                       | \$0.00                              |

Insert additional claims as needed.

3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one.

■ None. If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

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## 3.3 Secured claims excluded from 11 U.S.C. § 506.

Check one.

**None**. *If "None" is checked, the rest of § 3.3 need not be completed or reproduced.* 

#### 3.4 Lien avoidance.

Check one.

**None.** *If "None" is checked, the rest of § 3.4 need not be completed or reproduced.* 

#### 3.5 Surrender of collateral.

Check one.

None. If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

# Part 4: Treatment of Fees and Priority Claims

#### 4.1 General

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

#### 4.2 Trustee's fees

Trustee's fees are governed by statute and may change during the course of the case but are estimated to be  $\underline{5.70}$ % of plan payments; and during the plan term, they are estimated to total  $\underline{\$2,761.95}$ .

#### 4.3 Attorney's fees.

The balance of the fees owed to the attorney for the debtor(s) is estimated to be \$4,000.00.

# 4.4 Priority claims other than attorney's fees and those treated in § 4.5.

Check one.

None. If "None" is checked, the rest of § 4.4 need not be completed or reproduced.

# 4.5 Domestic support obligations assigned or owed to a governmental unit and paid less than full amount.

Check one.

**None.** *If "None" is checked, the rest of § 4.5 need not be completed or reproduced.* 

# Part 5: Treatment of Nonpriority Unsecured Claims

### 5.1 Nonpriority unsecured claims not separately classified.

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply*.

☐ The sum of \$

- **100.00** % of the total amount of these claims, an estimated payment of \$ 37,904.70
- The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$30,883.85. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

# 5.2 Maintenance of payments and cure of any default on nonpriority unsecured claims. Check one.

**None.** If "None" is checked, the rest of § 5.2 need not be completed or reproduced.

#### 5.3 Other separately classified nonpriority unsecured claims. *Check one*.

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Page 4 of 5 Document Debtor **Nicole Armstrong** 18-08398 Case number **None.** *If "None" is checked, the rest of § 5.3 need not be completed or reproduced.* **Executory Contracts and Unexpired Leases** 6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. Check one. **None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced. Part 7: Vesting of Property of the Estate 7.1 Property of the estate will vest in the debtor(s) upon *Check the appliable box:* plan confirmation. entry of discharge. other: Part 8: **Nonstandard Plan Provisions** Check "None" or List Nonstandard Plan Provisions 8.1 None. If "None" is checked, the rest of Part 8 need not be completed or reproduced. Part 9: **Signature**(s): 9.1 Signatures of Debtor(s) and Debtor(s)' Attorney If the Debtor(s) do not have an attorney, the Debtor(s) must sign below, otherwise the Debtor(s) signatures are optional. The attorney for Debtor(s), if any, must sign below. /s/ Nicole Armstrong  $\boldsymbol{X}$ **Nicole Armstrong** Signature of Debtor 2 Signature of Debtor 1 Executed on May 10, 2018 Executed on

By filing this document, the Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) also certify(ies) that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Official Form 113, other than any nonstandard provisions included in Part 8.

Date May 10, 2018

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/s/ David H. Cutler

Signature of Attorney for Debtor(s)

David H. Cutler

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# **Exhibit: Total Amount of Estimated Trustee Payments**

The following are the estimated payments that the plan requires the trustee to disburse. If there is any difference between the amounts set out below and the actual plan terms, the plan terms control.

| a.                         | Maintenance and cure payments on secured claims (Part 3, Section 3.1 total)              |   | \$2,134.40  |
|----------------------------|--|---|-------------|
| b.                         | Modified secured claims (Part 3, Section 3.2 total)                                      |   | \$0.00      |
| c.                         | Secured claims excluded from 11 U.S.C. § 506 (Part 3, Section 3.3 total)                 |   | \$0.00      |
| d.                         | Judicial liens or security interests partially avoided (Part 3, Section 3.4 total)       |   | \$0.00      |
| e.                         | Fees and priority claims (Part 4 total)  |   | \$6,761.95  |
| f.                         | Nonpriority unsecured claims (Part 5, Section 5.1, highest stated amount)                |   | \$37,904.70 |
| g.                         | Maintenance and cure payments on unsecured claims (Part 5, Section 5.2 total)            |   | \$0.00      |
| h.                         | Separately classified unsecured claims (Part 5, Section 5.3 total)                       |   | \$0.00      |
| i.                         | Trustee payments on executory contracts and unexpired leases (Part 6, Section 6.1 total) |   | \$0.00      |
| j.                         | Nonstandard payments (Part 8, total)   | + | \$0.00      |
|                            |  |   |             |
| Total of lines a through j |  |   | \$46,801.05 |

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